

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CARLOS KELLY

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ AUG 08 2008 ★

BROOKLYN OFFICE

JUDGMENT
07 CV 1703 (JG)

Petitioner

-against-

ROBERT ERCOLE, Superintendent,
Green Haven Correctional Facility,

Respondent

X

A Memorandum and Opinion of Honorable John Glesson, United States District Judge, having filed on August 6, 2008, dismissing the petition as time-barred; and certifying pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal would not be taken in good faith; it is,

ORDERED and ADJUDGED that the petitioner take nothing of the respondent; that the petition is dismissed; and that pursuant to 28 U.S.C. § 1915 (a)(3) certifying that any appeal would not be taken in good faith.

Dated: Brooklyn, New York

August 7, 2008

s/Robert C. Heinemann

ROBERT C. HEINEMANN
Clerk of Court